BILL NO. S-90-06-02

SPECIAL ORDINANCE NO. S-133-90

AN ORDINANCE authorizing the executing of a fire protection contract between the City of Fort Wayne and Fort Wayne Community Schools.

WHEREAS, The City of Fort Wayne has in the past provided certain fire services to those buildings of Fort Wayne Community Schools located outside the City limits of the City of Fort Wayne;

WHEREAS, the present contract has expired;

WHEREAS, it is necessary to enter into a new contract;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The fire protection contract by and between the City of Fort Wayne and Fort Wayne Community Schools, attached hereto, made a part hereof, marked Exhibit "A," is hereby approved and ratified.

SECTION 2. The appropriate officers of the City of Fort Wayne are hereby authorized to execute said fire service contract.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

EXHIBIT "A"

AGREEMENT

THIS AGREEMENT is entered into in duplicate this _____ day of _____, 1990, by and between the City of Fort Wayne, Indiana, hereinafter referred to as "City" and the Fort Wayne Community Schools, hereinafter referred to as "FWCS".

WHEREAS, FWCS owns, operates and maintains certain schools and school buildings located near but outside the corporate limits of the City, described as follows:

1.	Pleasant Center	2323 Pleasant Center Rd.
2.	Washington Center	1936 W. Wallen Rd.
3.	Wayne High School	9100 Winchester Rd.
4.	Arlington	8118 St. Joe Center Rd.
5.	Blackhawk Jr. High	7200 E. State Blvd.
6.	Croninger	6700 Trier Rd.
7.	Harris	4501 Thorngate Dr.
8.	Jefferson Jr. High	5303 Wheelock Rd.
9.	St. Joseph Central	6341 St. Joe Center Rd.
10.	Shambaugh	5302 Rebecca Dr.
11.	Elmhurst High	3829 Sandpoint Rd.

WHEREAS, the following listed FWCS facilities are presently included in an annexation ordinance or could easily be included in one:

1.	Arlington	8118 St. Joe Center Rd.
2.	Blackhawk Jr. High	7200 E. State Blvd.
3.	Croninger	6700 Trier Rd.
4.	Harris	4501 Thorngate Dr.
5.	Jefferson Jr. High	5303 Wheelock Rd.
6.	St. Joseph Central	6341 St. Joe Center Rd.
7.	Shambaugh	5302 Rebecca Dr.
8.	Elmhurst High	3829 Sandpoint Rd.

WHEREAS, FWCS desires to be assured that fire protection by City is available at all eleven of the above-described locations and that the City provide the City's Fire Safety Programs to all said schools, and

WHEREAS, the regulations of the State of Indiana specifically permit local governmental units such as the City and FWCS to make the most efficient use of their powers by enabling them to enter into agreements with each other on the basis of mutual advantage and thereby provide services and facilities which will accord best with factors which influence the needs and development of the community, and

WHEREAS, FWCS is interested in entering into an agreement with the City for fire protection at certain of its facilities.

NOW, THEREFORE, the parties agree as follows:

1. From August 1, 1990, until July 31, 2000, upon the receipt of City's Fire Department of a notification or signal that there is a fire on the premises of any or all of the above-described schools, City shall cause the proper fire

CITY OF FORT WAYNE, INDIANA

_____

BOARD OF COMMISSIONERS
DEPARTMENT OF PUBLIC SAFETY

_____

_____

_____

I hereby certify that the foregoing Agreement was ratified and approved by the Common Council of the City of Fort Wayne, Indiana, on _____, 19_____.

_____
Clerk

1815B

Read the ~~first~~ time in full and on motion by Henry, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Zoning (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____.M.,E.S.T.

DATED: 6-12-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the ~~third~~ time in full and on motion by Henry, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY				✓
BURNS	✓			
EDMONDS	✓			
GiaQUINTA				✓
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 6-26-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ (SPECIAL) (~~ZONING~~ MAP) ORDINANCE ~~RESOLUTION~~ NO. D-133-90 on the 26th day of June, 19 90,

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL: Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1990 at the hour of 1:30 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of June, 19 90, at the hour of 4:00 o'clock P.M.,E.S.T.

PAUL HELMKE, MAYOR

Admn. Appr._____

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE APPROVING FWCS FIRE PROTECTION CONTRACT

DEPARTMENT REQUESTING ORDINANCE FIRE DEPARTMENT S-90-06-02)

SYNOPSIS OF ORDINANCE 1. Approves 10 year fire service contract for FWCS buildings located outside City limits.

2. Fee of $2100/school for 1st five years of agreement.

Fee of $2500/school for 2nd five year of agreement.

(current fee - $1300/school set in 1979)

3. Provides annexed building to pay pro-rate in year of annexation

EFFECT OF PASSAGE Agreement will be in effect at new rates

EFFECT OF NON-PASSAGE Agreement will expire

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Revenues - $23,100 per yr for 1st five years; Expenses - $23,038 per year for 1990-91

ASSIGNED TO COMMITTEE (PRESIDENT)_____

BILL NO. S-90-06-02

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, BURNS, GiaQUINTA

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) authorizing the executing of a fire protection contract between the City of Fort Wayne and Fort Wayne Community Schools

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

DO PASS	DO NOT PASS	ABSTAIN	NO REC

DATED: 6-26-90.

Sandra E. Kennedy
City Clerk